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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

NICHOLAS KIS, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

COGNISM INC.,

Defendant.

Case No. 4:22-cv-05322-AMO

**STIPULATION AND [PROPOSED]  
ORDER TO STAY CASE PENDING  
MEDIATION**

Judge: Hon. Araceli Martínez-Olguín

Courtroom: 6 – 2nd Floor

Date Filed: September 20, 2022

Trial Date: TBD

**STIPULATION TO STAY CASE PENDING MEDIATION**

Plaintiff Nicholas Kis (“Plaintiff”) and Defendant Cognism Inc. (“Defendant”) (together, the “Parties”), by and through their undersigned counsel, hereby agree and stipulate as follows:

WHEREAS, Defendant’s Motion to Dismiss (Doc. 45) has been granted in part and denied in part;

WHEREAS, Defendant filed its Answer to the Complaint on October 7, 2024 (Doc. 82);

WHEREAS, the Court ordered the parties to file a joint case management statement by December 30, 2024 (Doc. 86);

WHEREAS, the parties are currently engaged in productive settlement negotiations;

WHEREAS, the parties have scheduled for February 26, 2025, a private mediation before the Judge David E. Jones (Ret.), a mediator experienced in data privacy class actions;

WHEREAS, the parties desire to focus their time and resources on preparing for mediation and engaging in any follow-up negotiations following mediation and desire to minimize Court resources that are dedicated to this matter;

WHEREAS, the parties agreed to seek a stay of this matter through March 12, 2025, including of the joint case management statement due December 30, 2024, and that they will provide the Court with a status report on or before that date advising the Court whether the parties have reached a resolution or whether they are requesting the stay be lifted;

WHEREAS, granting a stay pending mediation would serve judicial economy given the upcoming joint case management submission and case scheduling deadlines;

WHEREAS, the parties have articulated good cause to stay this matter in light of the intention to conserve the resources of the parties and the Court;

WHEREAS, the Parties are not seeking to alter any briefing or other case deadlines; and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:

This matter shall be stayed through March 12, 2025, with the parties to provide the Court with a status report on or before that date advising the Court whether the parties have reached a

1 resolution or whether they are requesting the stay be lifted. The December 30, 2024, deadline to  
2 submit a joint case management statement is vacated.

3 **IT IS SO STIPULATED.**

4  
5 Dated: December 27, 2024

6 /s/ Raina C. Borrelli

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Dated: December 27, 2024

/s/ Michael S. Sommer

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**CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES**

I, Raina Borrelli, am the ECF user whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In compliance with N.D. Cal. Civ. L.R. 5-1(h)(3), I hereby attest that each of the signatories has concurred in the filing of this document and has authorized the use of his or her electronic signature.

/s/ Raina Borrelli  
Raina Borrelli

**PROPOSED ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated

Hon. Araceli Martínez-Olguín